UNITED STATES PATENT AND TRADEMARK OFFICE

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10/682,507	10/10/2003	Michiharu Arimoto	L8612.03103	9880

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2009*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

This action is responsive to communications 08/13/2009. Claims 1-27 are pending.

Reopening of Prosecution

In view of the Appeal Brief filed 08/13/2009, PROSECUTION IS HEREBY

REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, applicant must file a reply under 37 CFR 1.113

Response to Arguments

A).   "The claims clearly recite that the continuous play back is of information of a

sequence of individual actions that occurred on the network. That is, the display-information

generation section regenerates information of a sequence of individual actions that occurred on

the network for continuous play back, as required by claims 1, 9, and 17.

As to the above argument A), Examiner respectfully disagrees. Applicant appears to be

arguing that the play back of annotated snapshots of Ludwig do not constitute continuous play

back. Moreover, Applicant uses the following example to support the argument:

"For example, displaying a Powerpoint presentation of 30 annotated screen shots

extracted from a 2 hour movie is not the same as continuously playing back the 2-hour

movie itself."

Examiner respectfully submits that the reproduced annotated snapshots of Ludwig are

merely an exemplification of the disclosed feature. Furthermore, Ludwig clearly discloses

QuickTime or Video for Windows clips that are "played" back via the Window-Event Record

and Play system. As suggested by the Applicant, continuous playback depends on the *content* of

the information (i.e. the entire 2 hour movie versus a (snapshot) of a movie being played). This

however, is not the Examiner's interpretation. Independent of the content, Ludwig clearly

teaches continuously playing back, however the play back of Ludwig is exemplified as the

continuous playback of annotated snapshots. Furthermore, the "replaying a user's

interactions…by capturing the requests and events exchanged between the client program and

the window system" as taught by Ludwig clearly anticipates regenerating, for ***continuous***

playback, ***information*** ***of a sequence of individual actions***, as recited in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in

section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that

the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the

invention was made.

Claims 1-27, are rejected under 35 U.S.C. 103(a) as being anticipated by **Cartsonis et al.**
(U.S. Patent No. 6,584,501 B1, hereinafter Cartsonis) in view of **Ludwig et al. (US Patent**
No. 6, 351,762 B1) and further in view of **Cravo de Almeida (US 2002/0169871 A1,**
hereinafter Cravo).

As per claim 1, Cartsonis discloses the invention substantially as claimed. Cartsonis
teaches a network monitoring system that monitors communication between a client and sever,
the network monitoring system comprising: a data acquisition section that acquires a plurality of
packets flown on the network; a data analysis section **(Figure 8, where the thread analysis**
takes place based on the packets in the stream by the analyzer. The packets are acquired
and decoded, col. 6, lines 64-67) for acquiring the action explanation information from the
plurality of packets acquired by the data acquisition section **(col. 2, lines 58-67, Figure 8, where**
packets in the streams are acquired and decoded); and a display-information generation
section that generates information of each individual action occurring on the network on the
basis of the action explanation information acquired by the data analysis section **(Abstract, col.**
3, lines 58-67 col. 2, lines 58-67, and col. 7, lines 10-26, where Cartsonis teaches a method
for analyzing and displaying network traffic performance assessment data in a computer
network and upon receiving a plurality of packets, performs thread analysis and then
collects and stores the information. Cartsonis further discloses a generated graphical
representation of the analyzed data); and a display unit that displays the information generated
by the display-information generation section **(Figure 2)**.

Cartsonis does not explicitly teach wherein the display-information generation section regenerates, for continuous play back, information of a sequence of individual actions that occurred on the network and cooperates with the display unit to display, during each play back the information of each individual action of the sequence at the same time interval within the sequence as the action occurred.

Ludwig discloses wherein the display-information generation section regenerates, for continuous play back, information of a sequence of individual actions that occurred on the network and cooperates with the display unit to display, during each play back the information of each individual action of the sequence at the same time interval within the sequence as the action occurred **(col. 28, lines 48-65)**.

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Cartsonis' teachings to the teachings of Ludwig, for the purpose of synchronizing network events and reproducing them in its entirety **(col. 29, lines 4-14).**

Cartsonis-Ludwig does not explicitly teach wherein the information displayed by the display unit includes the type of operating system employed by the client, the type of operating system employed by the server, an account name of a user accessing the client, and an icon representing the account name.

However, Cravo de Almeida discloses wherein the information displayed by the display unit includes the operating system employed by the client, the type of operating system

employed by the server, an account name of a user accessing the client, and an icon representing

the account name **(paragraph [0090])**.

Accordingly, it would have been obvious to one of ordinary skill in the networking art at

the time the invention was made to have incorporate Cartsonis-Ludwig's teachings to the

teachings of Cravo de Almeida, for the purpose of monitoring and displaying information of the

sender and the receiver **(paragraph [0090]).**

As per claim 2, Cartsonis-Ludwig-Cravo teaches a network monitoring system wherein

the action explanation information is defined in advance **(Cartsonis: col. 4, lines 38-52, where**

the user is able to define action information, col. 7, lines 37-52).

As per claim 3, Cartsonis-Ludwig-Cravo teaches a network monitoring system wherein

the data analysis section identifies kinds of the packets acquired by the data acquisition section

and acquires the action explanation information from the packets on the basis of the identified

kinds of the packets **(Cartsonis: col. 6, lines 64-67 and col. 7, lines 1-9, where individual**

packets are decoded and defined in relation to a specific application being analyzed).

As per claim 4, Cartsonis-Ludwig-Cravo teaches a network monitoring system wherein

the action explanation information includes: sending source computer information included in a

connection packet **(col. 6, lines 60-63)**; user information included in a an authentication packet

(Cartsonis: where the information includes the thread name, the name ultimately

authenticates which determines the group that the packets are assigned to during analysis,

col. 6, lines13-23); action object information included in an object specification packet

(information related to the specific application, col. 6, lines 64-67); action information

included in a command packet **(Cartsonis: where the analysis information may be specific to a "Get command" col. 7, line 5);** and data included in a data packet **(Cartsonis: col. 4, lines 38-52, col. 6, lines 58-63 and col. 7, lines 6-10)**.

As per claim 5, Cartsonis-Ludwig-Cravo teaches a network monitoring system further comprising an analysis data storage section for storing the action explanation information acquired by the data analysis section, wherein: the display-information generation section regenerates the information of the sequence of individual actions that occurred on the network from the action explanation information stored by the analysis data storage section **(the analysis data storage section is taught by Cartsonis, col. 6, lines 53-63, where the analyzer which performs thread analysis "stores information describing the thread name, source and destination nodes", etc and col. 7, lines 10-25, Figure 7, item 704)**.

As per claim 6, Cartsonis-Ludwig-Cravo teaches a network monitoring system wherein the action explanation information stored by the analysis data storage section includes time information, which corresponds to time at which the single action was performed **(col. 4, lines 38-46 and col. 5, lines 4-17)**; and the display-information generation section regenerates the display information used to playback and display the action explanation information stored by the analysis data storage section in accordance with the time information, in response to a request of a user **(col. 5, lines 4-17, col. 7, lines 59-65 and col. 7, lines 37-52, where bars of the graphical representation are updated in accordance with the new time axis)**.

As per claim 7, Cartsonis-Ludwig-Cravo teaches a network monitoring system wherein the display-information generation section continuously regenerates the sequence after each

predetermined period, which period is accurate within 500 milliseconds.**(Cartsonis: col. 7, lines
59-65)**.

As per claim 8, Cartsonis-Ludwig-Cravo teaches a network monitoring system wherein
the display-information generation section extracts and generates the display information in
accordance with display setting by a user **(Cartsonis: col. 3, lines 58-65, col. 7, lines 59-65, and
col. 7, lines 37-52)**.

Claims 9-16 are substantially the same as claims 1-8 but in method form rather than
system form. Therefore, claims 9-16 are rejected using the same rationale as claims 1-8.

Claims 17-24 are substantially the same as claims 1-8 and thus rejected using the same
rationale.

As per claims 25-27, Cartsonis-Ludwig teaches wherein the display unit displays
graphical representation of the communication connection between the client and the server
(Figure 4).

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner
can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

William Vaughn can be reached on 571-272-3922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-3922.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

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to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

JMC
Art Unit 2444   November 20, 2009

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